

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

THEOPHILUS FITZPATRICK,	)	
	)	
Plaintiff,	)	No. 08 C 152
	)	
vs.	)	Judge Dow
	)	Magistrate Judge Valdez
CITY OF CHICAGO, et al.,	)	
	)	
Defendants.	)	

**INITIAL STATUS REPORT**

- A. Louis J. Meyer as attorney for Plaintiff. Julia Bruce as attorney for Defendants.
- B. Jurisdiction for federal claims is based on 28 U.S.C. §§ 1331 and 1343(a).
- C. Plaintiff asserts that while he was sitting in his car, he was unreasonably seized, falsely arrested and subjected to excessive force.
- D. All parties have been served.
- E. Principal legal issues involve federal claims for unreasonable seizure, false arrest/imprisonment, excessive force, failure to intervene, and state law claims for malicious prosecution, *respondeat superior*, and indemnification.
- F. Principal factual issues involve whether the incident occurred as Plaintiff alleges in his Complaint.
- G. A jury trial has been demanded.
- H. Discovery has not taken place. The parties request 120 days for discovery.
- I. A trial date is not reasonably ascertainable right now.
- J. The parties do not unanimously consent to proceed before a Magistrate Judge.
- K. There have not yet been any settlement discussions.
- L. A settlement conference may be beneficial after discovery has been exchanged.

Respectfully submitted,

Dated: March 6, 2008

/s/ Louis J. Meyer

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